

**RULE CV-12. DEFENSES OF QUALIFIED OR ELEVENTH AMENDMENT
IMMUNITY**

In any case filed pursuant to 42 U.S.C. § 1983, or involving causes of action in which the defense of qualified or Eleventh Amendment immunity may be asserted, the party or parties asserting the defense shall file a motion to dismiss or for summary judgment in their initial pleading or within thirty calendar days of their initial pleading, or, if asserted in response to allegations made by amended complaint, within twenty days of the date the amended complaint was filed. When a party files a motion to dismiss or for summary judgment based on qualified or Eleventh amendment immunity, the opposing party shall have eleven days from the date the motion is served on the opposing party to file a response and to specify what, if any, discovery is necessary to determine the issue(s) of qualified or Eleventh amendment immunity and the time period necessary for the specific discovery.